G. R. S. IX-5]

Previous references.

191

(S & A.)

Later references.

File No. 15 of 1895

Serial Nos. 1–4.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–4

M. ~~Part~~ B for May 1896.

SUBJECT.

Pension to Elias Khan, Probationer, Imperial Service Lancers

Indexed

M

Commissioner

W D 88—GPB—50,000—24-7-16

E&S

A
6

S.A.
No 15 1895
Serial No

Office Note.

In his letter No. 1648 dated 25th February 1896, the Military Secretary submitted for the sanction of Govt. a Pension Roll for Rs 12 on behalf of one Elias Khan, Probationer, (Jemadar) who was retired from 1st March 1896.

The Military Secretary recommended that as Elias Khan had not served 3 years in his present grade, viz Probationer (Jemadar) to entitle him to the pension of that grade, he may be granted the pension allowable to the next lower grade, viz Duffedar Major, amounting to Rs 12-

Submitted for sanction.

I agree with the Under Secy. The Rule does not require 3 years service, or for that matter any service at all, in the next lower grade, to entitle an Officer to the pension of that grade. As the Rule stands, Elias Khan could claim a Duffedar Major's pension even if he had never held that rank but had been promoted Khaqan out of a Probationer's rank from an ordinary Duffedar. The pension recommended may therefore be sanctioned.

C.
17-5-96.

Sanctioned
17/5/96

Approved
17

Draft: Sulkh
17/5/96

In Memorandum
No. 10732 dated 21st
March 1896, the pension
roll was returned for
reconsideration, with
the observation that the
individual in question
was promoted to the
rank of Duffedars Major
in May 1894 and again
to that of Probationer in
November of the same
year and had not therefor
served three years in
either of the grades to
entitle him to the pen-
-sion recommended,
but that the proper pen-
-sion admissable was
only that allowable to
a Duffedar, which was
Rs 10/ —

In his No. 2045
dated 4th April 1896,
the Military Secretary
states that in the strict
reading of the rules the
applicant is entitled

2

to the pension recommended, Viz Rs 12, as it is nowhere stated that he must have served 3 years in the next lower rank to entitle him to the pension of that rank and requests further consideration -

Rule 4 of the Rules applicable to the case under question runs as follows: -

"Commissioned & Non-Commissioned Officers "must have served three "years in the rank in "which retired to entitle "them to the pension of "such ~~that~~ rank; when their service in this respect is "incomplete they will only "receive the pension of "the next lower rank"

The pension roll shows that Elias Khan was enlisted on 10th June 1863, and was appointed Duffedar on 12th July 1865, from which date

date up to 8th May 1894 (or about 29 years) he received no promotion - He was promoted as Dy Asst Adjt General Major on 9th May 1894, and again as a Probationer on 1st November of the same year, after an interval of 5½ months, in which capacity he served for 1 year & 3 months and eventually retired - He has evidently not completed 3 years full service both in the grade in which he retired or in that of the next lower grade - ~~Orders was thereupon solicited in this~~

Submitted for orders.

Any orders that may be passed on this case will form precedent for all similar future cases.

Sec
16/5/96

Under Secretary - I consider the military Secretary is right: We have in the purposes of the rule only to consider the appointments from w[illegible] an officer [illegible] whether he has not served 3 years in [illegible] appointment & he has not he is entitled to the pension of the next lower rank whatever the period of his service in the latter rank. The question of what service he puts in the next lower rank is an [illegible] relevant. A man who [illegible] like to a man who [illegible] promoted first to be promoted over the heads of men of long standing should [illegible] when he retires [illegible] at least the pension of those immediately below him in rank.
16/5/96

But as Elias Khan's service in the present grade being less than 3 years by one year and 8 months, he is not entitled to the pension of the next lower rank viz: Daffedar Major which amounts to Rs 12 per mensem. He submits that the above amount be sanctioned & Lubd with Dft for appl accordingly.

Sd/-
4/3/96.

Sicked Rs 3 4/2 with a Draft of

573/96

This Offr was first two promotions in 1894 when he was 53 Yrs. old and now recommended for retirement on Duffadar Major's pension to which he is not entitled not having served 3 Yrs. in that or the higher rank he now holds. Call for the papers connected with his promotions including the recommending Officers remarks & Reporting Officers remarks, and the Orderly Officers remarks & the annual or other

5 [illegible]

H
1

OFFICE
1070
1896
11 MAR 1896
CHANCERY

From
The Military Secretary to the
Government of Mysore.

To
The Secretary
to the Govt. of Mysore
& Chief General Dept.

Dated
15 1895

Despatched 25th February

Received

General No. 1648
No.

Enclosure No. 1

Forwarding for sanction a pension Roll on behalf of Probationer Elias Khan of the Imperial Service Regiment.

Encl 1

Dft and
DMR
4/3/96

Under the rules the pension admissible in the rank of Jemadar for service of 32 years is Rs 25 per mensem.

Subr
26.2.96
Copy of the Hill letter
Salem Bandobast
Assistance
5/3/96

To

The Secretary
to the Govt. of Bengal
General Depth.

Sir,

The Dewan having on
my recommendation approved
of the retirement of Probationer (Jamadar)
Ilias Khan of the Imperial
Service Regiment, I have
the honor to submit herewith
a Pension Roll and to
request that you will kindly
obtain the Sanction of
Government for his transfer
to the Pension List of the
Cooch Establishment
With effect from 1st March
1896 under the authority
conveyed in Proceedings
of Government No. 1469 1-2
S.B. 57-93
of the 6th March 1894.

Probationer
Ilias Khan having
served

A/2

3

Served only 1 Year 4 Months
in this present rank is not under
the Rules entitled to the pension
of such rank and is therefore
recommended for a Duffedar
Majors Pension of Rs 12/- which
is the next lower rank.

I have the honor to be
Sir
Your Most Obedt Servt

J Jervis Lt. Col.
Offg. Military Secretary

HC

be the one allowable for the rank of Daffadar which amounts to £0.2.0 per mensem. The Pensain Roll submitted ~~to~~ with the above is therefore returned to the Military Dept. for reconsideration.

W.B.
W.B.
W/3 Dept

To, The Military Dept.

Ld
13.

Gen. 31]

A/2

1896

S.A.

From

15 1895

2

To ~~The Military Dept~~

Dated 21st March 96.

Despatched

Received

General No. 10932 ~~8~~

Dfa No. 897

Enclosure No.

1 Memorandum.

~~His~~ Letter No 1648 dated 25-7-95 from the Military Dept. dated 9.6.96, submitting a Pensain Roll on behalf of Probationer Elias Khan of the Imperial Service Regt of the Imperial Cavalry who has been retired from the Service ~~by order~~ of the Military Secretary under the authority of Govt Pro: No 1691-2 dated 16.5.5.7.93 March 1896.

The Military Secy recommends that Elias Khan may be granted the pension allowable to the rank of Assistant Major viz: Rs 12 per mensem he not having served 3 years in his present grade viz: (Subaltern (Jamadar) to entitle him to the pension allowable for that rank.

~~It is observed from the entries made in~~ the Pension Roll ~~that~~ it is noted that Elias Khan was promoted to the rank of Assistant Major on 2nd May 1894 & to that of Subaltern in November of the same year. It is clear therefrom that he has not served 3 years even in the grade of Assistant Major to entitle him to the pension of that rank as recommended by the Military Secy. The proper pension admissible to the Officer appears to

"in which" retired to entitle
"them to the pension
"of such rank, when
"their service in this re-
"spect is incomplete
"they will only receive
"the pension of the
"next lower rank".

The above rule implies that an officer should put in 3 years' service to entitle him to the pension of the rank in which he has been recommended.

Sd
9/4/96 D.P.C. in the
Military Secretary's Office.
1/5/96

1648 A

Gen. Serial No. 31.]

OFFICE OF THE
8259
APR. 1896
MYSORE

MILITARY SECRETARY'S OFFICE
1896
MYSORE GOVERNMENT.

From

To

The Secretary to the Government
~~Dewan~~ of Mysore.
Revenue & General
Dated Departments

Despatched

Received 4th April 1896

Enclosures No. 15

General No. 2645 3
No.

Re-submitting the
pension Roll of Elias Khan
for Sanction.

P & A
4-4-96
Refer put up
7/4
Sd

The rule is as
follows:—

"Commissioned and
"non-Commissioned officers
"must have served three
"years in the rank in

To

The Secretary to the Government
of Imperial Revenue & General
Departments

Sir,

In acknowledging receipt of
your memo No 10392 of the 21st ultimo,
897
I have the honor to inform you that in
accordance with the strict reading of
Rule 4 of the new Pension Rules sanctioned
by Government for the Imperial & Local
Service Regiments - Probationer Elias Khan
is entitled to the Pension he has been -
recommended for in the roll herewith
resubmitted, as it is nowhere stated
that he must have served three years
in the next lower rank to entitle him
to the Pension of that rank, and to re-
quest that you will kindly give his case
your further consideration. -

I have the honor to be
Sir
Your most obedient Servant

W Cumming Lt Col
Offg Military Secretary

(No. 16.)

Roll of a Probationer of the Imperial Service Regiment Mysore Horse recommended for transfer to the Pension List of the Sowar Establishment

Regiment.	Troop	Number.	Rank.	Name.	Character.	Present age.	Dated of Enlistment.	Period of service. Years.	Period of service. Months.	Present Pay.	~~Ordinary~~ pension after 32 years service as per scale sanctioned by the Government of India.	Commencement of Pension.	Reason or cause of unfitness for further service.	Opinion of the Surgeon.
Imperial Service	2nd		Probationer	Elias Khan	Good	55	10th June 1863	32	8	50-0-0	X. 12-0-0	1st March 1896	old wound in [illegible]	Retired as unfit for service. Authority G.O. No. 1469-2 dated 8.7.93

Effective date of retirement 1st March 1894.

Effective Jemadar 12th July 1865

Effective Subadar Major 9th May 1894.

Effective Captain 1st September 1894.

MILITARY SECRETARY'S OFFICE,
Bangalore 25th February 1896.

X The Service of this Officer as Probationer being less than 32 years he is recommended for a pension of Effective Jemadar Major.

By order, Military Secretary. Lt-Col.

Mysore Government Central Press, Bangalore.—28-6-92—100.

A

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

(*Pension and Allowances Branch.*)

Sept. 15 1896

No. 1/-

READ :—

Letters No.: 1648 & 2045 dated 25th Feby & 4th April 1896 respectively from the ~~Comptroller~~ Military Secy. to the Government of Mysore.

12764-5

ORDER THEREON No. P&A 1107 dated Bangalore ~~25~~ 15 May 1896

Pending orders on the revised scale of Pensions for the several ranks of the Mysore Silledar Horse proposed by the Military Secy.

~~Under the provisions of Articles of the Mysore Service Regulations~~, the Government of Mysore sanction the payment of a Pension ~~or Gratuity~~ of Rupees (12) twelve only per mensem to Elias Khan late Probationer ~~Jemadar~~ of 2nd Troop Imperial Service Regiment of the Mysore Horse with effect from the 1st March 1896, in consideration of a ~~Superin~~ qualifying service of 32 years and 8 months ~~days~~ rendered by him, the amount being debited to the "General Revenues"

2. The applicant not having served 3 years in the rank in which ~~he was retired~~ to entitle him to the pension of that rank, he has been granted the pension of the next lower rank viz: that of the ~~Daffedar~~ Trooper under the rules.

18/5/96 JP.

~~General~~ Secretary.

Sd
18/5/96

To

The Comptroller to the Government of Mysore, with copy ~~of the 1st page~~ of the Pension Roll application.

The Military Secretary to Mysore Govt.